

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PacSec3 LLC,

Plaintiff,

v.

F5 Networks,

Defendant.

CASE NO. 2:20-cv-01828-RAJ-JRC

ORDER SETTING PATENT CASE
SCHEDULE

The District Court has referred this matter to the undersigned. *See* Dkt. 28. The parties have filed their joint status report. *See* Dkt. 32.

The Court declines to set a trial date at this time. A trial date and subsequent pretrial deadlines will be set by the assigned District Judge, the Honorable Richard A. Jones, if the case has not been resolved by motion or settlement.

Having reviewed the parties' joint status report, the Court enters the following pretrial deadlines:

Event	Date
Deadline to join additional parties	April 1, 2021
Plaintiff to serve Preliminary Infringement Contentions and Disclosure of Asserted Claims	April 13, 2021
Defendant to serve Preliminary Non-Infringement and Invalidity Contentions and accompanying Document Production	May 13, 2021
Parties to exchange Proposed Terms and Claims Elements for Construction	June 2, 2021
Parties to exchange Preliminary Claim Constructions and Extrinsic Evidence	July 2, 2021
Parties to file Joint Claim Chart and Prehearing Statement	August 16, 2021
Completion of Claim Construction Discovery	October 5, 2021
Parties to file Opening Claim Construction Briefs	October 11, 2021
Parties to file Responsive Claim Construction Briefs	October 26, 2021
Tutorial (if necessary)	To be set by the Court
Claim Construction Hearing	To be set by the Court
Reliance on Opinion of Counsel	30 days after Claim Construction Order
Close of Fact Discovery	60 days after Claim Construction Order
Parties to exchange Initial Expert Reports	90 days after Claim Construction Order
Parties to exchange Rebuttal Expert Reports	120 days after Claim Construction Order
Close of Expert Discovery	150 days after Claim Construction Order
Parties to file Case Dispositive and/or <i>Daubert</i> Motions	180 days after Claim Construction Order

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2	Pretrial Conference	To be set by the Court
3	Trial	To be set by the Court

4 This order sets firm dates that can be changed only by order of the Court, not by
5 agreement of counsel for the parties. The Court will alter these dates only upon good cause
6 shown. Failure to complete discovery within the time allowed is not recognized as good cause.
7 If any of the dates identified in this Order, the Local Civil Rules, and/or Local Patent Rules fall
8 on a weekend or federal holiday, the act or event shall be performed on the next business day.

9 JUDGE JONES' CHAMBERS PROCEDURES

10 Counsel are directed to review Judge Jones' Chambers Procedures at
11 <http://www.wawd.uscourts.gov/judges/jones-procedures>. Counsel are expected to abide by the
12 requirements set forth therein. Failure to do so may result in the imposition of sanctions.

13 Links to Local Rules, Electronic Filing Procedures for Civil and Criminal Cases, court
14 forms, instruction sheets, and General Orders, can be found on the Court's website at
15 www.wawd.uscourts.gov.

16 DISCOVERY

17 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
18 possible. Counsel shall also cooperate in preparing any pretrial order in the format required by
19 LCR 16.1. The parties shall comply with Judge Jones' chambers procedures regarding discovery
20 disputes.

21 ALTERATIONS TO FILING PROCEDURES

22 Counsel are required to electronically file all documents with the Court. Information and
23 procedures for electronic filing can be found on the Western District of Washington's website at
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1 <http://www.wawd.uscourts.gov/attorneys/cmecf>. The following alteration to the Filing
2 Procedures applies in all cases pending before Judge Jones:

3 1. Generally, mandatory chambers copies are required for all e-filed motions,
4 responses, replies, and sur-replies, and all supporting documentation relating to motions,
5 regardless of page length. However, as noted above, counsel should review Judge Jones'
6 chambers proceedings regarding courtesy copies during the COVID-19 emergency.

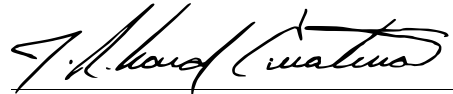
7 2. Searchable PDFs: All documents filed electronically must be submitted in PDF
8 format to permit text searches and to facilitate transmission and retrieval. Before these
9 documents are electronically filed, the CM/ECF User shall convert the documents to PDF
10 format. These documents may not be scanned.

11 **SETTLEMENT**

12 If this case settles, plaintiff's counsel shall notify Deputy Clerk Kelly Miller at
13 Kelly_Miller@wawd.uscourts.gov, as soon as possible. Pursuant to LCR 11(b), an attorney who
14 fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as
15 the Court deems appropriate.

16 The Clerk is directed to send copies of this Order to all parties of record.

17 Dated this 29th day of March, 2021.

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19 J. Richard Creatura
20 Chief United States Magistrate Judge
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